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Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Security Council
Seventy-third year

Identical letters dated 5 January 2018 from the Permanent Observer of the State of Palestine to the United Nations addressed to the Secretary-General, the President of the General Assembly and the President of the Security Council

The Palestinian people living in the Occupied State of Palestine, including East Jerusalem, have begun yet another year under Israel's belligerent military occupation and the prospects of ending Israel's illegal occupation and decades-long injustice remain as bleak as ever. This year, the holiday season, along with the first couple of days of the new year, were significantly subdued, with spirits dampened by a new wave of violence directed at the Palestinian people by Israeli occupying forces, which was sparked by a decision taken on 6 December 2017 by the current administration of the United States of America recognizing Jerusalem as the capital of Israel.

In fact, in the wake of the US Administration's decision mentioned above, violations by Israel have only intensified, as the occupying Power clearly felt emboldened to carry out its illegal practices and measures with complete impunity. Over the past few weeks, killings, injuries, the imprisonment of Palestinian civilians and attacks against the occupied Gaza Strip have continued unabated. Just yesterday, a 17-year-old child was killed after being shot in the chest by Israeli occupying forces in the village of Tuqu, south of Bethlehem. This latest death marks the sixteenth Palestinian killed by Israeli occupying forces since the US Administration's decision of 6 December and comes only days after Musab Firas Al-Tamimi, also aged 17, from the village of Deir Nitham, was killed after being shot in the neck by Israeli occupying forces.

In addition to the above, Israel's right-wing Government continues to recklessly add fuel to an already burning fire by taking unilateral, provocative and illegal decisions which further illustrate that Israel, the occupying Power, has abandoned all restraint and is doing everything in its power to bury the two-State solution and any chance for a real peace. In this regard, we write to condemn and protest in the strongest manner the unanimous decision taken by the Likud party and concurrence by its right-wing coalition partners on 1 January 2018 to annex the Occupied West Bank and impose Israeli "sovereignty" on illegal Jewish settlements and to require the approval of 80 Knesset members (out of 120) to "return any part of Jerusalem to

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the Palestinians". In public comments regarding this illegal decision, a member of the Knesset stated that the "goal of the bill is to prevent concessions as part of diplomatic deals". That same member of the Knesset also stated that "Jerusalem will never be on the negotiating table" and that "the State of Israel will not allow for the establishment of a Palestinian state with its capital in Jerusalem".

It is clear that this recent so-called law attempts to severely change the status of Jerusalem and to create an illegal Israeli and Jewish exclusivity over all of Jerusalem — a city whose status remains that of "corpus separatum" under General Assembly resolution 181 (II). Under international law, Israel's annexation of East Jerusalem is unlawful and constitutes a direct breach of Israel's obligations as a belligerent occupier. It must be noted that this latest illegal so-called legislation by the occupying Power is a continuation in its series of "laws", proposals and measures that expose its true intention to alter the character, status and demographic composition of Jerusalem and to impose a de facto one-State solution. As has been repeated by the Palestinian leadership, led by President Mahmoud Abbas, without East Jerusalem as the capital of Palestine, the chances for peace will be destroyed indefinitely.

In addition, the occupying Power continues to further destabilize the already perilous situation on the ground with its recent announcement of its intention to build 1 million settler units in the Occupied West Bank, including East Jerusalem. The first of these announcements was made today. In this regard, according to Peace Now, an Israeli human rights organization, more than 1,329 illegal settlement units will be approved next week. Israeli settlements built in the Occupied State of Palestine, including East Jerusalem, represent a flagrant violation of international law and constitute the single biggest threat to peace and the two-State solution, which also has led to settler violence, home demolitions and the denial of development for the Palestinian people under Israel's occupation.

The international community has a clear legal position on the status of the Occupied State of Palestine, including occupied East Jerusalem, and must reject all violations of that status and demand that Israel's unilateral, provocative and illegal decisions be condemned and regarded as null and void. In addition to recalling General Assembly resolution 181 (II), we again must recall relevant Security Council resolutions which remain valid and must be implemented, including resolutions 476 (1980) and 478 (1980) and the Council's latest resolution 2334 (2016), in which the Council affirmed that "it will not recognize any changes to the 4 June 1967 lines, including with regard to Jerusalem, other than those agreed by the parties through negotiations". Moreover, most recently the General Assembly, at its resumed tenth emergency special session, on 21 December 2017, adopted resolution ES-10/19, in which it stressed once again the abiding international position on Jerusalem, reaffirming the Assembly's compendium of relevant resolutions along with those of the Security Council.

The responsibilities of the international community are clear, and upholding the law and holding Israel to account for its breaches are more urgent than ever. Serious efforts must be undertaken by the international community, in particular the Security Council, to implement resolution 2334 (2016) and all other relevant United Nations resolutions. The Security Council must shoulder its responsibilities and act urgently to avert the further destabilization of an already extremely volatile situation which clearly poses a threat to international peace and security. We call for all efforts to be made to restore the rule of law and to finally resolve the Israeli-Palestinian conflict and establish just and lasting peace, in which the Palestinian people can finally live as a free people in their independent and sovereign State of Palestine, with East Jerusalem as its capital, living side by side in peace and security with all of its neighbours.

The present letter is in follow-up to our previous 621 letters regarding the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem, which constitutes the territory of the State of Palestine. Those letters, dated from 29 September 2000 (A/55/432-S/2000/921) to 14 November 2017 (A/ES-10/763-S/2017/958) constitute a basic record of the crimes being committed by Israel, the occupying Power, against the Palestinian people since September 2000. For all of these war crimes, acts of State terrorism and systematic human rights violations being committed against the Palestinian people, Israel, the occupying Power, must be held accountable and the perpetrators brought to justice.

I should be grateful if you would have the present letter distributed as a document of the tenth emergency special session of the General Assembly, under agenda item 5, and of the Security Council.

(*Signed*) Riyad **Mansour**
Ambassador, Permanent Observer
of the State of Palestine to the United Nations